

4/12
In The United States District Court
For The Northern District of Oklahoma

FILED

JUL 07 2014

Phil Lombardi, Clerk
U.S. DISTRICT COURTLindsey Kent Springer
Movant

v.

Case No. 13-CV-145
(Formerly 09-CR-043)United States of America
Respondent.Declaration of Lindsey Kent Springer
in Support of Motion to Reconsider
and Allow Discovery

I, Lindsey Kent Springer, declare:

1. I am the movant in 13-CV-145 and defendant in 09-CR-043.
2. On October 9, 2013 I issued 4 letters to the Department of Justice pursuant to the Freedom of Information Act ("FOIA").
3. Two of the letters involved the purported appointment of Thomas Scott Woodward as "United States Attorney" for the Northern District of Oklahoma. Attached to this Declaration as Exhibit 1 and 2 are these 2 FOIA requests.
4. Two of the letters involved the authorization or appointments of Charles A. O'Reilly as "Special Assistant United States Attorney" for the Northern District of Oklahoma. Attached to this Declaration as Exhibit 3 and 4 are these 2 FOIA requests.

☒ Mail ☐ No Cert Svc ☐ No Orig Sign
☐ C/J ☐ C/MJ ☐ C/Ret'd ☐ No Env
☐ No Cpy's ☒ No Env/Cpy's ☐ O/J ☐ O/MJ

5. I received in January, 2014 2 Letters From Susan B. Gerson, Assistant Director, Executive Office For United States Attorneys, Freedom of Information & Privacy Staff, U.S. Department of Justice, regarding my FOIA request involving SAUSA O'Reilly and Mr. Woodward. Attached to this Declaration are Exhibit 5, a January 17, 2014 letter regarding "FOIA-2014-00473," and Exhibit 6, a January 24, 2014 letter regarding "FOIA-2014-00169."

6. On June 25, 2014, I received a letter from Susan B. Gerson regarding "FOIA-2014-00473" informing me that in regard to "the appointment of Charles A. O'Reilly as a 'Special Assistant United States attorney' between June 1, 2009 through September 10, 2013,"

"A search for records located in EOUSA Personnel has revealed no responsive records regarding the above subject. It appears SAUSA Charles A. O'Reilly in [sic] no longer an employee." Attached to this Declaration as Exhibit 7, letter dated 6.23.14.

7. I have not yet received a response from Ms. Gerson regarding my FOIA request involving Mr. Woodward's appointment as United States attorney.

I declare under the penalty of perjury, pursuant to 28 U.S.C. § 1746(1), under the laws of the United States of America, the above is true and correct.

Lindsey K. Sprague
Declarant.

Certificate of Service

I hereby certify that on June 30, 2014, I mailed First Class U.S. Mail the above Declaration of Lindsey Kent Springer to the Clerk of Court, 333 West Fourth St., Tulsa Oklahoma 74103:

I Further certify that all Parties are ECF users and shall receive service through the ECF System:

Danny C. Williams, Sr.
Jeffrey A. Gallant
Charles A. O'Reilly

Lindsey K Springer
Seaver
Reg # 02580-063
Federal Satellite Low-Latency
P.O. Box 6000
Anthony, New Mexico 88021

Declaration of Mailing

I declare under penalty of perjury, pursuant to 28 U.S.C. § 1746(1), under the laws of the United States of America, that on June 30, 2014, I deposited the above motion in the U.S. mailbox located inside FSL La Tuna to the address above.

Lindsey K Springer
deponent

To Executive Office for United States Attorneys
U.S. Department of Justice
BICN BLDG
Room 7100
Washington D.C. 20530-0001

From: Lindsey Kent Springer
#02580-063
Federal Correctional Institution
P.O. Box 1500
El. Reno, Oklahoma 73036

This is my Freedom of Information Act request under 5 U.S.C. § 552, and agreement to pay costs associated herewith in obtaining information and any documents pertaining to the appointment of Thomas Scott Woodward as the United States attorney for the Northern Judicial District of Oklahoma.

The date or time period is between June 1, 2009 through August 2, 2012.

The Title to the information I seek may be appointment of Thomas Scott Woodward as United States attorney.

The author is unknown but could be either President Obama, Attorney General Eric Holder, or the United States District Court for the Northern District of Oklahoma.

The subject is the appointment of Thomas Scott Woodward as United States attorney for the Northern District of Oklahoma.

My date of birth is September 11, 1965.

I declare under the penalty of perjury pursuant to 28 U.S.C. § 1746(1), under the laws of the United States of America the foregoing is true and correct to the best of my knowledge and belief.

Lindsey Kent Springer 10.9.13

Exhibit 1

To: FOIA / PA Mail Referral Unit
Justice Management Division
U.S. Department of Justice
950 Pennsylvania Ave, N.W.
Washington D.C. 20530-0001

From: Lindsey Kent Springer
#02580-063
Federal Correctional Institution
P.O. Box 1500
El Reno, Oklahoma 73036

This is my Freedom of Information Act request under 5 U.S.C § 552, and agreement to pay costs associated herewith in obtaining information and any documents pertaining to the appointment of Thomas Scott Woodward as the United States attorney for the Northern Judicial District of Oklahoma.

The date or time period is between June 1, 2009 through August 2, 2012.

The Title to the information I seek may be Appointment of Thomas Scott Woodward as United States attorney.

The author is unknown but could be either President Obama, Attorney General Eric Holder, or the United States District Court for the Northern District of Oklahoma.

The subject is the appointment of Thomas Scott Woodward as United States attorney for the Northern District of Oklahoma.

My date of birth is September 11, 1965.

I declare under the penalty of perjury pursuant to 28 U.S.C § 1746 (1), under the laws of the United States of America the foregoing is true and correct to the best of my knowledge and belief.

Lindsey Kent Springer 10.9.13

Exhibit 2

To: FOIA/PA Mail Referral Unit
Justice Management Division
U.S. Department of Justice
950 Pennsylvania Ave. N.W.
Washington D.C. 20530-0001

From: Lindsey Kent Springer
02580-063
Federal Correctional Institution
P.O. Box 1500
El Reno, Oklahoma 73036

This is my Freedom of Information Act request under 5 U.S.C. § 552, and agreement to pay costs associated herewith, in obtaining information and any documents pertaining to the appointment of Charles A. O'Reilly as a "Special Assistant United States attorney," California Bar Association No. 160980.

The date or time period is between June 1, 2009 through September 10, 2013.

The Title to the information I seek may be Appointment of Charles A. O'Reilly as "Special Assistant United States attorney."

The author is unknown but could be Attorney General Eric Holder.

The Subject is the appointment of Charles A. O'Reilly as "Special Assistant United States Attorney."

My date of birth is September 11, 1965.

I declare under penalty of perjury pursuant to 28 U.S.C. § 1746 (1), under the laws of the United States of America the foregoing is true and correct to the best of my knowledge and belief.

Lindsey Springer 10.9.13

Exhibit 3

To: Executive Office For United States Attorneys
U.S. Department of Justice
BICN BLDG
Room 7100
Washington D.C. 20530-0001

From: Lindsey Kent Springer
02580-063
Federal Correctional Institution
P.O. Box 1500
El Reno, Oklahoma 73036

This is my Freedom of Information Act request under 5 U.S.C. § 552, and agreement to pay costs associated herewith, in obtaining information and any documents pertaining to the appointment of Charles A. O'Reilly as a "Special Assistant United States attorney," California Bar Association No. 160980.

The date or time period is between June 1, 2009 through September 10, 2013.

The Title to the information I seek may be Appointment of Charles A. O'Reilly as "Special Assistant United States attorney."

The author is unknown but could be Attorney General Eric Holder.

The Subject is the appointment of Charles A. O'Reilly as "Special Assistant United States Attorney."

My date of birth is September 11, 1965.

I declare under penalty of perjury pursuant to 28 U.S.C. § 1746 (1), under the laws of the United States of America the foregoing is true and correct to the best of my knowledge and belief.

Lindsey K. Springer 10.9.13

Exhibit 4


U.S. Department of Justice
Executive Office for United States Attorneys
Freedom of Information & Privacy Staff
600 E Street, N.W.
Suite 7300, Bicentennial Building
Washington, DC 20530-0001
(202) 252-6020 FAX: 252-6047 (www.usdoj.gov/usao)

January 17, 2014

Requester: Lindsey Springer Request No.: FOIA-2014-00473Subject: Appointment of SAUSA Charles A. O'Reilly/Personnel

The Executive Office for United States Attorneys (EOUSA) has received your Freedom of Information Act/Privacy Act (FOIA/PA) request. It has been assigned the above number. Please give us this number if you write about your request. If we need additional information, we will contact you within two weeks.

Your request will be placed in the order in which it was received for processing, unless it is a very large request (Project Request). Then, it will be placed in a separate group of Project Requests, which are also processed in the order received.

EOUSA makes every effort to process most requests within a month (20 working days). There are some exceptions; for example, Project Requests usually take approximately nine months to process. Requests for "all information about myself in criminal case files" are usually Project Requests. If you have made such a request, you may either write us and narrow your request for specific items, or you may expect that the processing of your request may take nine months from the date of this letter.

By making a FOIA/PA request, you have agreed to pay fees up to \$25, as stated in 28 CFR § 16.3(c), unless you have requested a fee waiver. Please note that pursuant to 28 CFR § 16.11, if you have not been granted a fee waiver, we are required to charge fees for time used to search for the documents you have requested and for duplication of all pages released to you. Normally, search time is charged at a rate of \$28 per hour after the first two hours which are free, and duplication fees are \$0.10 per page after the first 100 pages which are free. Please do not send any payment at this time! If we anticipate that fees will exceed \$25 or the amount you have stated in your letter (if greater than \$25), we will normally notify you of our estimate of fees. After we have received your agreement to pay for the expected fees (or you have narrowed your request to reduce fees) and we have processed your request, we will require payment for the accumulated charges before we release documents to you. Without such payment, your request file will be closed without further action.

Sincerely,

Susan B. Gerson
Assistant Director

Form No. 001 - 6/12

Exhibit 5

**U.S. Department of Justice**

Executive Office for United States Attorneys

Freedom of Information & Privacy Staff

600 E Street, N.W.

Suite 7300, Bicentennial Building

Washington, DC 20530-0001

(202) 252-6020 FAX: 252-6047 (www.usdoj.gov/usao)

January 24, 2014

Requester: Lindsey Springer Request No.: FOIA-2014-00169Subject: Appointment of USA Thomas Scott Woodard/Personnel

The Executive Office for United States Attorneys (EOUSA) has received your Freedom of Information Act/Privacy Act (FOIA/PA) request. It has been assigned the above number. Please give us this number if you write about your request. If we need additional information, we will contact you within two weeks.

Your request will be placed in the order in which it was received for processing, unless it is a very large request (Project Request). Then, it will be placed in a separate group of Project Requests, which are also processed in the order received.

EOUSA makes every effort to process most requests within a month (20 working days). There are some exceptions; for example, Project Requests usually take approximately nine months to process. Requests for "all information about myself in criminal case files" are usually Project Requests. If you have made such a request, you may either write us and narrow your request for specific items, or you may expect that the processing of your request may take nine months from the date of this letter.

By making a FOIA/PA request, you have agreed to pay fees up to \$25, as stated in 28 CFR § 16.3(c), unless you have requested a fee waiver. Please note that pursuant to 28 CFR § 16.11, if you have not been granted a fee waiver, we are required to charge fees for time used to search for the documents you have requested and for duplication of all pages released to you. Normally, search time is charged at a rate of \$28 per hour after the first two hours which are free, and duplication fees are \$0.10 per page after the first 100 pages which are free. Please do not send any payment at this time! If we anticipate that fees will exceed \$25 or the amount you have stated in your letter (if greater than \$25), we will normally notify you of our estimate of fees. After we have received your agreement to pay for the expected fees (or you have narrowed your request to reduce fees) and we have processed your request, we will require payment for the accumulated charges before we release documents to you. Without such payment, your request file will be closed without further action.

Sincerely,

Susan B. Gerson
Assistant Director

Form No. 001 - 6/12

Exhibit 6



U.S. Department of Justice

Executive Office for United States Attorneys

Freedom of Information & Privacy Staff

600 E Street, N.W.

Suite 7300, Bicentennial Building

Washington, DC 20530-0001

(202) 252-6020 FAX: 252-6047 (www.usdoj.gov/usao)

June 4, 2014

Requester: Lindsey SpringerRequest Number: FOIA-2014-00473 Date of Receipt October 23, 2013Subject of Request: Appointment of SAUSA Charles A. O'Reilly/Personnel

Dear Ms. Springer:

In response to your Freedom of Information Act and/or Privacy Act request, the paragraph(s) checked below apply:

1. ☒ A search for records located in EOUSA- Personnel has revealed no responsive records regarding the above subject. It appears that SAUSA Charles A. O'Reilly is no longer an employee. Therefore, his official personnel file is no longer maintained.
2. ☐ A search for records located in the United States Attorney's Office(s) for the _____ has revealed no responsive records regarding the above subject.
3. ☐ After an extensive search, the records which you have requested cannot be located.
4. ☐ Your records have been destroyed pursuant to Department of Justice guidelines.
5. ☐ Please note that your original letter was split into separate files ("requests"), for processing purposes, based on the nature of what you sought. Each file was given a separate Request Number (listed below), for which you will receive a separate response:

This is the final action on this above-numbered request. If you are not satisfied with my response to this request, you may administratively appeal by writing to the Director, Office of Information Policy, United States Department of Justice, Suite 11050, 1425 New York Avenue, Washington, DC 20530-0001, or you may submit an appeal through this Office's eFOIA portal at <http://www.justice.gov/oip/efoia-portal.html>. Your appeal must be received within sixty days from the date of this letter. If you submit your appeal by mail, both the letter and the envelope should be clearly marked "Freedom of Information Act Appeal."

Sincerely,

Susan B. Gerson
Assistant Director

Form No. 005 - 6/12

Exhibit 7

Lindsey Kent Springer
Reg # 02580-063
Federal Satellite Law-ka Tuna
P.O. Box 6000
Anthony, New Mexico 88021

"Legal Mail"

Postmark 7/1/14

02580-063

Clerk Of Court
Northern District of Okla
333 W 4TH ST
Tulsa, OK 74103
United States

RECEIVED

JUL 7 2014

Phil Lombardi, Clerk
U.S. DISTRICT COURT

09-cr-43